

REMARKS

Reconsideration of this application, as amended, is respectfully requested. A request for continued Examination accompanies this amendment.

On November 8, 2005, a telephone interview took place between Examiners Vaughn and Chea and the undersigned attorney of record. The inventor, Duncan Work, also participated in this interview. During the call proposed amendments to the claims (and in particular to claim 164 as amended above) of this application were discussed. While no agreement as to ultimate patentability of these claims was reached, Examiner Vaughn indicated that the proposed amendment to claim 164 appeared to overcome the rejections set forth in the Office Action. Examiner Vaughn also indicated that similar amendments should be made to the other independent claims and those amendments have now been incorporated in this paper.

Claim 148 has been amended to read "said one or more persons". While it is believed that the previous phrasing of the claim was unambiguous, this clarification is being made to aid in the Examiner's reading of the claim. The rejection of claims 148 - 162 under 35 USC 112, second paragraph is now moot in light of this revision.

Claim 148 was rejected as being anticipated by Coueignoux, U.S. Patent 6,092,197. This rejection, however, is based on misunderstanding of the cited portion of the reference. In fact, the reference fails to teach all of the features of the presently claimed invention and, consequently, claim 148 is patentable over Coueignoux.

Coueignoux describes a system and method for discovering and exploiting personal information of so-called users. In the example recited at col. 29, l. 34 et seq., Coueignoux explains how this system might be used to match a job applicant with an employment opportunity. In response to queries posed by an "employer's agent", the job applicant (i.e., his or her "receiving agent") is prompted to reveal "private facts" concerning the applicant. For example, the applicant may reveal (through his/her agent) such things as the job sought, willingness to travel, desired salary, etc. Among these "private facts" is "contact information".

The Office Action appears to equate the “contact information” described by Coueignoux with the “attributes of said one or more persons and said one or more persons' contacts that may be shared with others” recited in claim 148. However, these two criteria are NOT the same. The context in which the phrase is used makes it clear that the “contact information” referred to by Coueignoux is information about the job applicant (i.e., the “user”) (e.g., such as an email address or physical address) and NOT about the applicant’s contacts (i.e., his/her friends or business associates, or, more generally, people known by the applicant).

In contrast to the scheme discussed by Coueignoux , claim 148 describes the use of access control criteria that define attributes of persons' contacts that may be shared with others. The distinction then is between a person’s contact information (a personal fact or attribute relied upon in Coueignoux’s system) and attributes of persons’ contacts (information about others). Coueignoux’s system does not teach or suggest in any way the use of access control criteria defining attributes of persons' contacts that may be shared with others as is found in the claimed invention. Instead, all that is discussed is the ability to control the release of a person’s contact information (an attribute of the individual user). For at least these reasons, claim 148 is patentable over Coueignoux.

Claim 164 was rejected as being anticipated by Kautz (“The Hidden Web”). As amended, however, claim 164 recites a method that involves at least three person-to-person connections and a requirement that each person in the chain of person-to-person connections permit reporting of the match. As the Office Action itself recognized, Kautz is silent as to access controls such as recited in amended claim 164, consequently the amended claim is patentable over Kautz.

Likewise, the amended claim 164 is patentable over the combination of Kautz and Coueignoux. At best such a combination would yield a system like that of Kautz in which a connection radius could be specified, but Coueignoux permits only the target of the search to set access control regarding his/her “private facts”. Moreover, Coueignoux deals only with 2-person chains of person-to-person connections. Consequently, any combination of Kautz and Coueignoux would likely lead one of ordinary skill in the art to think that only targets can set access control provisions (and possibly that such searches would have to be limited to two-person chains of person-to-person connections). Because claim 164 recites a method not so limited (and, consequently neither taught or suggested by the combination of references), the claim is patentable over this combination of references.

Claims 149-152, 155, 156 and 158 were rejected as being unpatentable over the combination of Coueignoux in view of Kautz. All of these claims depend from claim 148, which is patentable over Coueignoux for the reasons discussed above; namely because Coueignoux fails to teach or suggest a method which uses access control criteria defining attributes of persons' contacts that may be shared with others. Moreover, Kautz is completely silent on the subject of access control criteria and so adds nothing of relevance to the teachings of Coueignoux in this respect. Consequently, claims 149-152, 155, 156 and 158, which all incorporate the features of claim 148, are patentable over this combination of references.

Claims 161, 162 and 171 were rejected as being unpatentable over the combination of Coueignoux in view of Walker (US Patent 5,884,270) and Kautz. Claims 161 and 162 depend from claim 148, which as discussed above is patentable over Coueignoux and Kautz. Claims 171 depends from claim 164, which likewise was shown to be patentable over Coueignoux and Kautz. Now Walker is cited for the proposition that third party evaluation reports integrated with a job applicant's personal profile may be provided to an employer.

Even if the contention regarding Walker's teachings is assumed to be true, the addition of this teaching does not cure the deficiencies noted above with respect to Coueignoux and Kautz. That is, the resulting system would still not include all of the features of claim 148 or 164 for at least the reasons discussed above. Consequently, claims 161, 162 and 171 are patentable over the cited combination of references.

Claims 166, 168-170, and 172-175 were rejected as being unpatentable over Kautz and Coueignoux. However, claim 168 has been cancelled and claims 166, 169 and 170 depend from claim 164 and are patentable over this combination of references for at least the reasons discussed above with respect to claim 164.

Claim 172 is an independent claim and recites the use of an access control criteria called a "connection strength". Kautz describes a scheme in which a searcher is permitted to specify a "social radius" for a search (see page 32 at the end of the right hand column of text). The social radius allows the searcher to query his/her colleagues or colleagues of colleagues. In other words, it is a connection threshold.

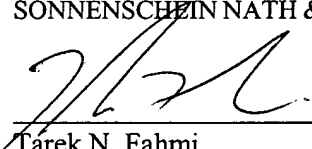
In contrast, claim 172 recites a connection strength and not a mere connection threshold. Connection strength is an attribute of access control criteria and, as discussed in detail above, Kautz is silent as to such matters. Further, although Coueignoux discusses access control criteria, such criteria are all confined to an individuals "private facts". There is no suggestion that such facts encompass a connection strength between the target individual and others in a chain of person-to-person connections as recited in claim 172. Connection strength is an attribute describing the connection and not the individual, which are the only criteria encompassed by Coueignoux's "private facts".

For at least these reasons then, claim 172 is patentable over Kautz and Coueignoux. Because claims 173-175 depend from claim 172, they are likewise patentable over these references.

For at least the foregoing reasons the present rejections should be removed. If there are any additional fees associated with this communication, please charge Deposit Account No. 19-3140.

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